



Montana Fish, Wildlife & Parks

1400 South 19th Avenue
Bozeman, MT 59718

NOV 03 2004
27 October 2004

To: Governor's Office, Todd O'Hair, State Capitol, Room 204, P.O. Box 200801, Helena, MT 59620-0801
Environmental Quality Council, State Capitol, Room 106, P.O. Box 201704, Helena, MT 59620-1704
Dept. of Environmental Quality, Metcalf Building, P.O. Box 200901, Helena, MT 59620-0901
Montana Fish, Wildlife & Parks:

Director's Office Parks Division Lands Section FWP Commissioners
Fisheries Division Legal Unit Wildlife Division Design & Construction
MT Historical Society, State Historic Preservation Office, P.O. Box 201202, Helena, MT 59620-1202
MT State Parks Association, P.O. Box 699, Billings, MT 59103
MT State Library, 1515 E. Sixth Ave., P.O. Box 201800, Helena, MT 59620
James Jensen, Montana Environmental Information Center, P.O. Box 1184, Helena, MT 59624
Janet Ellis, Montana Audubon Council, P.O. Box 595, Helena, MT 59624
George Ochenski, P.O. Box 689, Helena, MT 59624
Jerry DiMarco, P.O. Box 1571, Bozeman, MT 59771
Montana Wildlife Federation, P.O. Box 1175, Helena, MT 59624
Wayne Hurst, P.O. Box 728, Libby, MT 59923
Bob Raney, 112 S. 6th St., Livingston, MT 59047

Ladies and Gentlemen:

Attached is the Decision Notice for the Black's Ford Fishing Access Site (FAS) Acquisition Environmental Assessment (EA). Montana Fish, Wildlife & Parks (FWP) proposed to acquire 9.583 acres along the Madison River in Gallatin County to be included in the Fishing Access Site Program. The primary benefits of the site acquisition are to allow the state to manage this area more effectively while providing for both existing public use, and expanded river front recreational access to the Madison River. Two public comments were received on the proposal. The public comment period ended on October 25, 2004.

Based on the information in the EA, it is my decision to recommend that the FWP Commission provide approval for FWP to proceed with the proposed action, namely the "Black's Ford Fishing Access Site (FAS) Acquisition" as described in the EA. Further details are listed in the Decision Notice.

Questions regarding this Decision Notice should be directed to Bruce Rich, Region Three Fisheries Manager, Fish, Wildlife & Parks, 1400 S. 19th Ave., Bozeman, MT 59718, (406) 994-4042, or at brucer@montana.edu.

Thank you for your interest.

Sincerely,

Patrick J. Flowers
Region Three Supervisor

Attachment

**BLACK'S FORD FISHING ACCESS SITE ACQUISITION
ENVIRONMENTAL ASSESSMENT
DECISION NOTICE**

**Montana Fish, Wildlife & Parks
Region Three, Bozeman
October 26, 2004**

Proposed Action

Montana Fish, Wildlife & Parks (FWP) proposes to acquire 9.583 acres along the Madison River in Gallatin County to be included in the Fishing Access Site (FAS) Program. Part of this tract (3.8 acres) is included in the current boundaries of Black's Ford Fishing Access Site, which FWP currently leases from the DeHaan family. The remaining 5.783 acres of the proposed purchase consists of a thin strip of riverfront property on the east side of the Madison River downstream from the FAS.

The purpose of the proposed acquisition is twofold: to permanently transfer ownership of Black's Ford FAS from the DeHaan family to Montana FWP, thereby allowing FWP to more effectively manage the FAS; and to improve the recreational value of Black's Ford FAS by adding a $\frac{3}{4}$ mile strip of land bordering the river downstream from the parking area. The acquisition of this strip of land will allow float anglers and recreational floaters to disembark from their boats above the high watermark, fish, rest, picnic, etc, without risk of trespassing on private property, as well as providing significant river access for wade and bank anglers.

The primary benefits of the site acquisition are to allow the state to manage this area more effectively while providing for both existing public use, and expanded recreational access to the Madison River.

Montana Environmental Policy Act

Montana Fish, Wildlife & Parks assesses impacts of its proposals to the human and natural environments. The details of the Black's Ford Fishing Access Site (FAS) Acquisition and its effects were disclosed in the September 24, 2004 Environmental Assessment (EA) to comply with the requirements of the Montana Environmental Policy Act (MEPA).

A 30-day comment period was open from September 24 through October 25, 2004. Public notification of the proposed action was facilitated with the distribution of legal notices printed in the Bozeman Daily Chronicle and The (Ennis) Madisonian. In addition, the EA was posted on the Fish, Wildlife & Parks webpage: <http://www.fwp.state.mt.us>

Summary of Public Comment

Two comments were received on the proposal.

- 1) The Montana State Historical Preservation Office (SHPO) commented that due to the fact that the proposed action is a land acquisition only, a cultural resource inventory is unwarranted. An inventory was recommended before any future ground disturbance would take place.

Response: A cultural resource inventory will be requested before any future ground disturbance takes place.

- 2) A private citizen commented that a plan for management of noxious weeds (including the estimated annual cost for weed management on the site) should be included in the EA.

Response: Noxious weed management at Black's Ford FAS will be addressed as per the FWP Region 3 Noxious Weed Management Plan and FWP's Cooperative Weed Control Agreement with Gallatin County. Spot treatments will be conducted within environmental constraints and guidelines, and are estimated to cost less than \$500 annually (\$50/Acre/year).

Final Environmental Assessment for the Black's Ford Fishing Access Site (FAS) Acquisition Proposal

The EA and this Decision Notice will serve as the final document.

Decision

Based on the information in the EA, it is my decision to recommend that the FWP Commission provide approval for FWP to proceed with the proposed action, namely the "Black's Ford Fishing Access Site (FAS) Acquisition" as described in the EA.

Based on the analysis in the EA and the applicable laws, regulations, and policies, I have determined that this action will not have a significant effect on the natural or human environment. Therefore, an Environmental Impact Statement will not be prepared.

If you have questions regarding this decision notice, please contact Pat Flowers, Region Three Supervisor at (406) 994-4042, 1400 South 19th Avenue, Bozeman, MT 59718, or at pflowers@montana.edu.



Patrick J. Flowers
Region Three Supervisor